



**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

In re:

BLOCKFI INC., *et al.*,

Debtors.<sup>1</sup>

Order Filed on November 14, 2023  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Chapter 11  
Case No. 22-19361 (MBK)  
(Jointly Administered under a Confirmed Plan<sup>2</sup>)

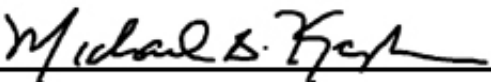
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**MEDIATION ORDER**

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The relief requested on the following pages is hereby **ORDERED**.

DATED: November 14, 2023

  
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Honorable Michael B. Kaplan  
United States Bankruptcy Judge

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It having been determined that mediation may produce a mutually agreeable resolution of all or some of the issues between the estate of BlockFi Inc. and its wind-down debtor affiliates (collectively “BlockFi” or the “Wind-Down Debtors”) and Russell Crumpler and Christopher Farmer, in their joint capacities as the duly authorized foreign representatives of Three Arrows Capital, Ltd. (“3AC”; together with BlockFi, the “Parties”), namely, issues arising from (i) the proofs of claim filed by 3AC (the “3AC Claims”) in the BlockFi chapter 11 cases, (ii) BlockFi’s motion to estimate the 3AC Claims and 3AC’s response thereto (Docket Nos. 1346, 1363, 1484,

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1486), and (iii) BlockFi's objection to the 3AC Claims (Docket Nos. 1375 and 1791) (the "Mediation Topics"), and the Parties having agreed on the selection of a mediator,

**IT IS HEREBY ORDERED THAT:**

The Parties will make a good faith attempt to settle such disputes through mediation and will attend, either virtually or personally and, unless excused by the Mediator, through a representative with authority to negotiate and settle (with respect to 3AC, subject to applicable consultations with 3AC's creditors and requisite court approval) the disputes, all sessions scheduled by the mediator. It is *further ORDERED* that;

Robert D. Drain, U.S.B.J. (Ret.) (the "Mediator") is appointed to serve as mediator in this matter. The Mediator's address is: Skadden, Arps, Slate, Meagher & Flom LLP, One Manhattan West, New York, New York 1001-8602. It is *further ORDERED* that;

D.N.J. LBR 9019-1 and 9019-2, as well as the following terms and guidelines, will govern the mediation process between the parties:

1. Within three (3) days after its entry on the docket, BlockFi must serve the Mediator with a copy of this Mediation Order.
2. Promptly after receiving the Mediation Order, the Mediator must determine whether there is a basis for disqualification or whether the Mediator is unable to serve for any other reason.
3. Upon entry of this Mediation Order, the Parties must promptly contact the Mediator to schedule the organizational telephone conference required by D.N.J. LBR 9019-2(d).

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4. The mediation shall take place on January 8, 2024, unless otherwise agreed to by the Parties and the Mediator. The location of all mediation sessions will be determined by the Mediator.
5. The Parties will compensate the Mediator at the rate of \$2,050.00 per hour and reimburse the Mediator's reasonable expenses. Each Party is responsible for one-half of the Mediator's fee. The fee is due not later than 30 days after presentation of the Mediator's invoice. Either the Mediator or a Party to the mediation may bring a motion to enforce the Parties' payment obligations under this Mediation Order. The Parties are authorized to enter into a mediation engagement agreement with the Mediator.
6. The Mediator shall be immune from claims arising out of acts or omissions arising from or relating to his services as a Court appointee, to the maximum extent allowed by law.
7. The Mediator has the right to terminate this mediation at any time, for any reason, by providing written notice to counsel for all Parties.
8. Not later than seven (7) days after the conclusion of the mediation, the Mediator must file a Local Form, Mediation Report (<https://www.njb.uscourts.gov/forms/mediation-report>).